

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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A.G. and L.G., on behalf of N.G.,

Plaintiffs,

08-Civ.-01576 (LAK)(HBP)

-against-

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

Richard F. Daines, as Commissioner of the New York State
Department of Health, and Thomas R. Frieden, as
Commissioner of the New York City Department of Health
& Mental Hygiene,

Defendants.

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PLEASE TAKE NOTICE that upon the annexed Statement of Undisputed Facts pursuant to Rule 56.1 of the Local Rules of this Court, dated July 30, 2008, the accompanying declaration of Dwayne Turner dated July 30, 2008, the accompanying declaration of Chevon Andre Brooks dated July 30, 2008 and the exhibits annexed thereto, and the accompanying memorandum of law in support of defendant's motion for summary judgment dated July 30, 2008, and upon all prior pleadings and proceedings, defendant will move this Court, at the United States Courthouse, for the Southern District of New York, located at 500 Pearl St. New York, as soon as counsel may be heard, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure awarding it summary judgment, and granting such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, must be served on the undersigned no later than September 5, 2008. Reply papers, if any, shall be served by September 19, 2008.

Dated: July 30, 2008
New York, New York

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By: _____/s
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(via ECF)